

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE

**SPIRIT AND TRUTH FAMILY
WORSHIP CENTER, INC.**

DEBTOR

§
§
§
§
§
§

**CASE NO. 09-33890
(Chapter 11)**

**EXPEDITED MOTION FOR ORDER TO EXTEND THE 11 U.S.C.
§§1121(e) AND 1129(e) FOR OBTAINING CONFIRMATION
DATE OF PLAN FOR SMALL BUSINESS**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU, IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 20 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

THE HONORABLE LETITIA Z. PAUL, UNITED STATES BANKRUPTCY JUDGE:

COMES NOW SPIRIT AND TRUTH FAMILY WORSHIP CENTER, INC.

(Debtor) with this Expedited Motion for Order to Extend the Deadlines imposed pursuant to 11

U.S.C. §§1121(e)(3) and 1129(e) in connection with a small business case and in support thereof

would respectfully show unto the Court as follows:

1. On June 1, 2009 the Debtor filed a voluntary petition for relief under Chapter 11, of Title 11, U.S.C. Debtor is managing and conducting its affairs as a Debtor-in-Possession.
2. The Debtor is a non-profit organization designed to teach biblical principles that will help its congregants experience salvation through Jesus Christ and develop the acquisition of skills necessary to promote self-determination, hope, and prosperity in an excellent manner that glorifies God.
3. Since the filing date the Debtor has continued to operate as Debtor in Possession and no trustee has been appointed.
4. Pursuant to Title 11 U.S.C. 101(51) the Debtor falls within the definition of a "small business case".
5. On September 9, 2009 the Debtor filed its Disclosure Statement and Plan of Reorganization with this Court.
6. Pursuant to §1121(e)(3) of the Code, the time period specified under §1121(e)(1)(2), and the deadline fixed in accordance with §1129(e), the plan shall be confirmed with 45 days from the date said plan is filed unless otherwise extended by the Court.
7. Inasmuch as the Chapter 11 small business plan was filed on September 9, 2009, the deadline imposed under §1129(e) expires on October 25, 2009.
8. On October 13, 2009, this office contacted the Court to obtain a hearing date for the Disclosure Statement and confirmation of the Plan. This Court's first available hearing date for the Disclosure Statement was November 9, 2009 at 10:45 A.M.
9. Given the fact that November 9, 2009 was the first available date for the Judge's calendar, the deadline imposed under §1129(e) will have expired.

10. The Debtor makes this expedited request and assertions that cause exists to extend the deadlines imposed under 11 U.S.C. §1129(e) for at least an additional 45 days from November 9, 2009 to afford it the opportunity to confirm its plan or until such time as this Court's docket permits.

11. This request is not being made to delay this case but to ensure that justice is served

12. Pursuant to §1121(e)(3), and §1129(e) the time frame may be extended for just cause. By this expedited motion, the Debtor requests the entry of an order extending the deadline imposed under §1129(e) be extended for an additional period of time of not less than 45 days from the hearing set on the Debtor's Disclosure Statement as set forth *infra*.

13. The legislative history accompanying §1121(e)(3) of the Bankruptcy Code expressly states that an extension of the deadline may be granted if such extension indicates some promise of probable success. The Debtor has undergone extensive negotiations with its major secured creditor as well as its sister church of the New Light Christian Center church. The Debtor believes that it possess the requisite resources and expertise to develop and confirm a plan of reorganization.

14. The Motion is not brought to hinder or delay the Debtor's bankruptcy proceeding but rather to enable the Debtor's plan the opportunity to be considered and approved by the majority of its creditors.

WHEREFORE, PREMISES CONSIDERED, SPIRIT AND TRUTH FAMILY WORSHIP CENTER, INC., Debtor herein, asks that the Court grant this motion, extend the deadline imposed under §1129(e) by which the Debtor must obtain confirmation of the Plan for at least an additional 45 days from November 9, 2009, or until such time as this Court's docket

allows and grant such other and further relief to which the Debtor may show itself to be entitled.

Respectfully submitted this 15th day of October, 2009.

J. CRAIG COWGILL & ASSOC, P.C.

By: /s/J. Craig Cowgill
J. Craig Cowgill
State Bar No. 04929000
8100 Washington, Suite 120
Houston, Texas 77098
713/956-0254 (telephone)
713/956-6284 (telecopier)
Attorneys for Debtor

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Expedited Motion has been served upon all creditors and parties in interest entitled to receive notice by ECF, if available, or by first class mail, proper postage affixed on the 15th day of October, 2009.

/s/J. Craig Cowgill
J. Craig Cowgill



Label Matrix for local noticing
0541-3
Case 09-33890
Southern District of Texas
Galveston
Thu Oct 15 14:36:36 CDT 2009
3
United States Bankruptcy Court
PO Box 2300
Galveston, TX 77553-2300

Foundation Capital Resources, Inc.
1661 North Boonville Ave, Suite 1
Springfield, MO 65803-2751

Spirit and Truth Family Worship Center, Inc.
P. O. Box 1539
League City, TX 77574-1539

CIT TECHNOLOGY FINANCING SERVICES, INC.
10201 CENTURION PKWY N. #100
JACKSONVILLE, FL 32256-4114

Capital One
PO Box 381
Salt Lake City, UT 84110-0381

Challenger Storage
1730 Fm 528 Rd
Webster, TX 77598-4708

Chernosky, Smith, Resslering & Smith
Michael J. Smith
4646 Wild Indigo St Ste 110
Houston, TX 77027-7190

Cornerstone Shopping Center
C/O Noble House Real Estate
PO Box 202
Seabrook, TX 77586-0202

Custom Construction
1515 Webster St
Houston, TX 77002

Extra Space Storage
8600 S Main St
Houston, TX 77025-2704

Fikes
PO Box 19278
Houston, TX 77224-9278

First Data
6200 S Quebec St
Greenwood Village, CO 80111-4729

Foundation Capital
Mr. Gene Johnson
1661 North Booneville
Springfield, MO 65803-2751

Konica Minolta Business Solutions
21146 Network Place
Chicago, IL 60673-1211

Konica Minolta Business Solutions
P. O. Box 122366
Dallas, TX 75312-0001

Morningstar Mini-Storage
3500 E Fm 528 Rd
Friendswood, TX 77546-5005

Mr. Duke DKeller, Jr.
Weycer, Kaplan Pulaski & Zuber
Eleven Greenway Plaza, #1400
Houston, TX 77046-1130

Mr. Mark Rucker
AG Financial
1661 N Boonville Ave Stop 1
Springfield, MO 65803-2751

Office Depot
P. O. Box 689020
Des Moines, IA 50368-9020

Pitney Bowes
P.O. Box 856042
Louisville, KY 40285-6042

Progressive Electrical
PO Box 36543
Houston, TX 77236-6543

Sam's Club
PO Box 981064
El Paso, TX 79998-1064

U-Haul
351 Gulf Fwy S
League City, TX 77573-3525

U. Bank
P. O. Box 6353
Fargo, ND 58125-6353

U.S. Bank N.A./Retail Payment solutions
P.O. Box 5229
Cincinnati, OH 45201-5229

US Trustee
Office of the US Trustee
515 Rusk Ave
Ste 3516
Houston, TX 77002-2604

J Craig Cowgill
Attorney at Law
8100 Washington
Suite 120
Houston, TX 77007-1055

